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"The Inauguration."

Preparations were made for this event, by decorating the Capitol with flags, &c. Their Excellencies, the President, and Governor elect, made their appearance, attended by a joint Committee of both Houses, and escorted by the United States Officers, of this station.

After being introduced, seated, &c., a prayer, rich with the fervor of the Christian patriot, was made by the Hon. R. E. B. Baylor.

The President then arose and delivered his Valedictory. He was loudly applauded. The oath of Office was administered to the Governor, by the Speaker of the House, and the Inaugural followed.—— During the whole time of enacting these matters, the most intense emotion thrilled every bosom—— tears crept unconsciously from the eye of many a weather-beaten Texian, who had toiled and suffered, and bled to establish an independent government—— to win freedom for a people, who were now being stricken from the roll of nations; they seemed to feel as if the Republic of Texas, was indeed "no more". She is secure in the enjoyment of all that a patriot could wish—— her destiny is united to that of the mightiest people on earth. Her watchword must be "Union" and her progress will be "onward".

Thursday, February 19th, 1846.

Inaugural Address
of
J. Pinckney Henderson,
Governor.

Delivered at the Capitol, in the City of Austin, Feby 19. 1846.

Gentlemen of the Senate
and House of Representatives

This day, and within this very hour, has been consummated the great work of annexation. This consummation it seems to me, should be a full compensation to our citizens for all their toils and sufferings endured for ten long years. Our hearts should be full of gratitude to the giver of all good, for the many favors he has bestowed upon us, at all times and under all circumstances. On the beginning of our revolution when the frowns of the world were upon us, his protecting arm shielded us from danger; and now at its close, when we have so happily completed our labors and attracted the attention of the principal nations of the earth, he is still with us. Who can look back upon our history and not be fully and deeply impressed with the consideration that the arm of Deity has shielded our nation, and his justice and wisdom guided us in our path? It is therefore our duty, in deep humility, to make our acknowledgments for his many favors.

It is with a deep sense of the responsibility which I have incurred, that I now enter upon the duties of the station which my fellow citizens have called me to fill. This station and this responsibility my own disposition did not lead me to seek, and I can only hope to be able to discharge the duties which have thus devolved upon me, in a manner satisfactory to the country, by the aid of the representatives of the people, who will, I feel assured, act with wisdom and harmony. If there has heretofore existed any cause of dispute or difference between the different sections of our country, in regard to the

policy most proper to be pursued, surely there is now no cause for disunion, since we have the protecting arm of the United States thrown around us, and can repose quietly under her broad banner. Let us then, I beseech you, commence our existence as a State of this great Union in the spirit of harmony and forbearance, and act our parts throughout as becomes the agents of a free, enlightened, Christian people.

By our Constitution, which has been freely and fully approved by the almost unanimous voice of the people, more power and patronage are given to the Executive than is given by most other states of the union to their executives; and the merits of the system which we have adopted will greatly depend upon the prudence, impartiality and wisdom with which the executive exercises those powers conferred upon him by our constitution, as far as my actions are concerned, I can only promise that I will endeavor to act cautiously and impartially, guided by whatever judgment I may be able to command, having in view, only the public good. Regarding a good judiciary as one of the main stays of our constitutional liberties, it is my anxious wish to see that Department of our government placed upon the best possible footing. Judges who are possessed of violent political party prejudices are dangerous in any state. In exercising the veto power, confered upon me by the constitution, I shall feel constrained, as a general rule, to confine it to arresting the passage of unconstitutional laws, and such laws as are calculated on in my opinion to impair public confidence and embarass the revenue of the State.

This is not a proper time for me to advert to measures which it may seem to me should be acted upon by the Legislature — that I will do in a short time, in making to you the communication required of me by the Constitution.

We have this day fully entered the Union of the North American States — let us give our friends who so boldly and nobly advocated our cause, and the friends of American liberty, no reason to regret their efforts in our behalf. Henceforth the prosperity of our sister States will be our prosperity — their happiness our happiness — their quarrels will be our quarrels and in their wars we will freely participate.

S. Rhea Chancy & Henderson.

Executive Department,
Austin, February 20th 1846.

To Charles Mariner, Esq.,

Sir,

You are hereby appointed and authorized to discharge the duties of Acting Secretary of State of the State of Texas, until the Secretary, hereafter to be appointed, assumes the duties of his Office.

I have the honor to be,
Your Obedient Servant
J. Pinckney Henderson.

Executive Department
Austin, February 21. 1846

To The Honorable
The Senate.

The Executive respectfully, submits for the advisement and consent of your Honorable Body, the nomination of Hon. Volney E. Howard, Attorney General for the State of Texas.

J. Pinckney Henderson.

Executive Department
Austin, February 21. 1846.

To The Honorable
The Senate.

The Executive respectfully, submits to the Hon. Senate, the following nominations, Viz:

Hon. John Hemphill — Chief Justice, Supreme Court.
" T. J. Rusk — Associate " "
" R. F. Wheeler — " "

J. Pinckney Henderson

Austin, February 21. 1846

To His Excellency
James K. Polk
Sir.

On the 16th Instant our State Legislature was organized under our State Constitution, which terminated the authority of our late Government according to and in fulfilment of the Contract under which we have united the Union. I do myself the honor, Sir, to transmit herewith to your Excellency, also, the Report of dispatches to your Secretary of State, in regard to the relations of the British and French Representatives near our late Government, upon the subject of our Treaties with their Governments, and the enclosed of the Secretary of State of Texas, in reply thereto, by which you will see that the whole matter is referred to your Government where it now appropriately belongs. In regard to the communications as matters of no consequence, but deem it to be my duty to transmit copys of them to your Secretary of State.

I have the honor to be,
Your Excellency's most Ob.t and
very Humble Servant.
J. Pinckney Henderson

Executive Department.
Austin, February 21. 1846.

To His Excy. James Buchanan,
Sir,

I have the honor to transmit you herewith
copies of Communications, received from the representatives
of England and France to the late Executive of Texas,
in regard to the treaties, made between those Govern-
ments and the Republic of Texas during an existence
as an Independent Government, and the reply of the
Secretary of State of Texas, thereto, which communi-
cations have been handed over to me by our late
President. The subjects treated of in these communi-
cations appropriately belong to your Department,
and to your Excy must respectfully refer them.

I have the honor to remain your most Ob.t & very Humble Ser.t
J. Pinckney Henderson.

Executive Department
Austin, February 21st 1846

Gentlemen of the Senate
and House of Representatives

It being made my duty by the Constitution to communicate to you, and the representatives of the people, such information, and recommend for your consideration such measures as I may deem expedient, I take pleasure in informing you that, according to the terms of the joint resolution of the Congress of the United States, our late country has been annexed, we are bound and willing to cede to the United States all fortifications, ports, harbors, bays, navy and navy yards, docks, magazines, arms and munitions of war, and the appurtenances, pertaining to the public defence, which belong to the Republic of Texas. It may be important to consider specifically what obligations, and what rights belong to the Republic of Texas, which she will be called upon to discharge or relinquish, before she finally and forever parts with her sovereignty to the United States. I would therefore recommend that you appoint commissioners who shall be charged with the duty of ascertaining what are the liabilities and claims against the Republic of Texas, and what are the rights and claims in favor of the Republic of Texas, and report the same to you, with such recommendations as they may deem necessary, defining their duties and fixing their salaries. But as the duties which will be thrown upon these officers, are, under the existing laws, divided between many of the principal officers, and as some time will necessarily elapse before the duties of the Secretary and Comptroller can be defined, and a new system adopted, I recommend to you to consider also the propriety of passing a resolution authorizing the late officers in any way connected with the Treasury Department of the government, to continue in the discharge of their duties under the existing laws, until you can pass such laws

as are necessary to carry out the intention of the framers of the Contitution in regard to these subjects.

Many questions deeply interesting to the people of Texas are now pending before the Congress of the U. States, and there are other subjects connected with the interests and prosperity of our State, which should be urged upon the consideration of that body without delay. It is therefore important that the Legislature shall, at the earliest period possible, provide for the election of our representatives in the National Legislature. According to the act of Congress, passed on the 25th of June, 1842, it is the duty of the Legislature of each State to lay off the State into Congressional Districts. It is your province to comply with the requirements of that law, and fix the time for the election to be made by the people. Another subject which demands your earliest attention, is the organization of the judicial districts throughout the State; and it seems to me, that before that can be done, it will be necessary to lay off such portions of our territory into new Counties as the convenience of the people may require.

The construction given to our present Constitution by most of our Judges, appointed under the late government, as far as I have been able to learn, is, that their powers terminated upon the organization of the State Government, or at least they regard it as so questionable, that they have determined that it will be safest not to hold any Courts by virtue of their said appointments. Some inconvenience must result until these appointments are made, and until the districts are laid off and numbered, or named, the Judges cannot be appointed. It will therefore be necessary to act upon this subject with as much haste as prudence will permit.

The government of the Republic having had the control of the Custom Houses of Texas and the revenue arising therefrom, derived its main support from that source. By our change of government, we are compelled to surrender that branch of our revenue to the general government. In future we must depend mainly upon direct taxation for the means of supporting the State Government. It is well known that our present system of direct taxation

is very defective, and that under it many of the largest land owners in the Republic have not heretofore contributed any thing to the support of the Government by way of direct taxes, and the law as it now stands, affords no means of detecting delinquents, or of forcing them to contribute their quota of those taxes. Justice to the honest and patriotic portion of our citizens, who have at all times promptly paid all the taxes imposed upon them by that law, which is so defective that it cannot be enforced against those who choose to disregard it, as well as the prosperity of the State, requires that a more perfect system shall be adopted: a system which will ensure the assessment of all lands owned by individuals and Corporations in the State, and the certain and prompt payment of the taxes imposed by law upon them. Without such a system, a greater tax must necessarily be imposed upon and collected from those who contribute, without compulsion to the public treasury, than would be necessary where all are made to pay in proportion to their wealth. That a cheap and perfect system to remedy the evil alluded to, can be matured and adopted by the Legislature, I cannot doubt, and I cannot urge it too strongly upon your consideration. Every citizen and property holder in the State, is bound to contribute to its support, in return for the protection which our government and laws afford his person and property. Intimately connected with this branch of your duty, are the assessors and Collectors of the public revenue. It is made your duty by the Constitution, to point out the manner in which those officers shall be appointed. It is important to have those offices filled by persons who are prompt and energetic in the discharge of their duties, and I would recommend that the Legislature shall provide for their appointment in a manner which will make them directly and rigidly responsible to the Treasury Department, and removable at the pleasure of the appointing power. When the people are taxed, it can matter but little to them to whom they are required to pay the tax, if they are sure that their contributions will be promptly paid over to the government. Our experience proves, that the system heretofore provided by law for the collection of the direct taxes, is very defective, and has worked badly, as many of the

Collectors have squandered the money which has been paid into their hands by the citizens, or unreasonably and illegally detained it from the Treasury, while there existed no sufficient power in the hands of any officer of the government to remedy the evil, and the defaulters have continued in office from year to year neglecting their duty, or collecting the public money and refusing to account for it to their government. Various necessities, growing out of the work of annexation, have caused an increase in the expenditures of our government within the past year, whilst other causes connected with the same, have conspired to check importations from European ports, so that the receipts of the last two quarters have not equalled the expectations of many, yet it will be seen from the report of the late Secretary of the Treasury, made to the late Executive, and by him handed over to myself, that there is an unexpended balance in the Treasury, — which report, with the accompanying documents, I now lay before you for your inspection and information. The first of the accompanying documents marked No 1., shows the amount of merchandize imported, and the classes and amounts of revenue collected on importations and tonnage, from the 1st of August, 1844, to the 31st of October, 1845. No 2., is a recapitulation of the information given in No 1., showing the manner of collecting the duties. No 3., is an abstract of the classes of Merchandize imported from the 1st of August, 1844, to the 31st of October, 1845, and the rates of duties levied upon each class. No 4., shows the amount and classes of exports made from the several districts of the Republic from the 1st of August, 1844, to the 31st of October, 1845. No 5., is a Statement of the direct taxes assessed, the amount paid over, and the balance remaining unpaid by the various Counties in the years 1842, '43 and '44. No 6., shows the amount of Licence taxes paid into the Treasury from each County from the 1st of November, 1844, to the 1st of February, 1846. No 7., shows the amount

of direct taxes assessed in each County in the year 1845. No 8., shows the Cash receipts and the expenditures from the 1st of November, 1844, to the 1st of January, 1846. — No 9., is a statement of the appropriations for the support of the government for the year 1845, exhibiting the amount drawn from each, and the unexpended balance; and No 10., is the report of the Auditor. By the report of the Secretary of the Treasury, it will be seen that there is at present in the hands of the Treasurer, the sum of twenty nine thousand eight hundred and sixty dollars in specie, and two thousand six hundred and eighty nine dollars and seventy five cents in Exchequer Bills. The latter cannot be again issued, and must be cancelled. It is estimated that there is at this time in the hands of the Collectors of Customs in the various districts, about thirty two thousand dollars, including between three and four thousand dollars in Exchequer Bills, and that there is now in the hands of the Collectors of direct and license taxes, which should soon be paid into the Treasury about seven thousand dollars. A part of the money yet in the hands of the Custom Collectors, the amount of which has not been made known to the Secretary of the Treasury, was paid under protest of the importers, upon the ground that goods imported since the 31st of December last, from any of the United States, were not subject to duty, inasmuch as the Congress of the United States on that day passed a law, extending their jurisdiction over the State of Texas. It will be seen by reference to a copy of the instructions given by the late Secretary of the Treasury to the Collectors of Customs, which I herewith lay before you, that the Collectors were directed to continue to enforce the tariff laws of the Republic, and collect duties upon all goods imported and subject by those laws to pay duties, until the 16th Inst., without regarding the country from which they came. I fully concur with the late Executive in the opinion expressed in those instructions, that until the organization of our State Government under the Constitution, or until the first day of the meeting of our State Legislature, there was no change of jurisdiction, and that it was the duty of the President to see that the tariff, and all other laws of the Republic were enforced. We entered the Union under a Contract with the General Government, — a part of

that Contract is contained in the 10th Section of the 13th Article of our State Constitution, and was passed upon and accepted by that Government, by which it seems to me to be clear, that until the 16th instant, the day of your organization, the laws of the United States could not be enforced in Texas. According to the report of the said Secretary, it seems that there is now a considerable amount of goods deposited in Store in the various Custom Houses subject to duty under the above construction of our constitution, which goods, as far as it is made my duty to act in the case, will be held subject to the payment of the duties for which they are pledged, until instructed by the Legislature to release them. Some delay may take place before those duties can be collected and paid into the Treasury.

It is to be hoped, and I confidently expect, that the Congress of the United States will, in accordance with the recommendation of the President, made in his annual Meddage, make an appropriation for the speedy payment of the claims of Texas, admitted and adjusted by the late Executive of that government for outrages done to Texas by an officer of the United States, in disarming a body of our troops under the Command of Col. Snively, and by the forcible entry of Citizens of the United States into one of our Custom Houses on the Red River District, taking from our Collector certain goods which had been seized by him, and which were liable to confiscation. In order to ensure the immediate receipt of that money into our Treasury, after provision shall be made by the general government for it payment, I recommend you to pass a law designating the manner in which it shall be demanded and received.

A subject which demands much of your consideration, is our public debt. It is our duty to discharge that debt in an equitable manner between our creditors, as far as our ability will enable us to do, and as soon as practicable, having a due regard to the merits of each demand. The public domain is pledged for the payment of our debts; but how far it can be made available towards effecting that object under the

management and administration of the State, is very uncertain. In order to do justice to all our creditors it will be necessary to adopt some plan to ascertain the liabilities of the government and cause surveys to be made of the public lands, before any general distribution is made. Our State has not the means which will be required to make those surveys and probably will not have for many years, while our debt is annually increasing by the exorbitant interest which a considerable part of it bears. In the hands and under the management of the United States Government those lands would be made more available. That Government has the ability to have them surveyed in from a plan which would avoid the confusion and litigation which the irregular system adopted by our land system unnecessarily creates. Their survey and sale would invite thousands of emigrants to our State, and our revenue would be greatly increased by the taxes which would be levied upon those lands when they fall into the hands of individuals. The public lands so far have only been the source of contention and vexation, producing no revenue to the Government. Population brings more wealth into the Treasury of a State than public lands. I therefore ask you to consider upon the propriety of passing a law authorizing negotiations to be opened with our general government for the sale of our public lands, with such reservations as seem proper, subject to the ratification of the legislature. Under the existing laws any of our public domain is and it should remain subject to location by individuals who have head-right certificates or scrip issued by the government. It is important that the liabilities of the Government should be ascertained as soon as practicable, and in order to accomplish that desirable object and prevent impositions and frauds, I would suggest the passage of a law authorizing the appointment of Commissioners to liquidate all just demands against the government, requiring them to be presented within a reasonable time. In that Commission would be required the services of able, firm and watchful men, to guard against any impositions or frauds which may be

Gentlemen of the Senate
& House of Representatives

The prosperity, happiness & permanency of every government, like every other work of man, depend on the constant attention & judicious care of the people, or their representatives to the principles of their constitution. & that happiness, happiness and permanency can be best secured by a constant attention & frequent appeals to the fundamental principles of the government. By the Constitution it is made the duty of the Legislature to make suitable provision for the support of public schools and to diffuse not less than one tenth of the annual income of the state for that purpose, and it is also made the duty of the Legislature from time to time after the year 1800 to provide by law for the support of public libraries throughout the State. The people of the state have ever yet had occasion to regret the munificence of their legislature upon this subject, which ought ever to be cherished as a good system of public instruction, and to continue a constant management of the revenue expressly devoted to it. In reference to the plans adopted by other states, we ought, warned by their experience, carefully to avoid every thing of the kind which could in the least endanger the stability of the Constitution, and which could be for the slightest of great good.

Some Constitutions provide for the introduction of an Executive upon change of government from monarchy to republic or a state of the Union. Others have attempted to introduce an amendment by the progressive changes and amendments which have been made or attempted by the Legislature. Our Constitution appears to furnish for no occasion of any kind and requires

Query. That important object can best be attained by committing the task to one or more able and respectable Citizens, not in that way or can be done with propriety to the state. The interest of the State, it appears to me, requires that it should be done without unnecessary delay, and I therefore recommend it to your consideration.

I respectfully recommend for your consideration and
favourable notice the case of the Honorable Edward Bates, late
Attorney General of the United States, during the period
he was Secretary of State ad interim of the United States.
Upon the resignation of the Honorable Caleb Cushing

appointment of County Surveyors, which I recommend to your consideration.

Economy in the administration of the government is always becoming to the agents of the people — with us it is absolutely necessary. As far as my actions are concerned as the Chief executive officer of the State, I can promise a strict observance of that duty, doubting not that I shall find in you, as the representatives of the people, a corresponding disposition.

I commend you, gentlemen, to God's holy care, with a full reliance upon His bountiful providence for the prosperity of our infant State. As he has conducted us through all our dangers and troubles to the desired haven, so will he enable us to ride there in safety. He will keep us in the right path and point out the way in which we may perpetuate our free government.

J. Pinckney Henderson.

Austin, February 25. 1846

To Col. Pierce M. Butler,

Sir,

Colonel Smith having informed me that you requested him to procure such information as I might be able to furnish in regard to the Contracts and Treaties made by our late Government with the various tribes of Indians within our limits I have the honor, herewith, to send you copies of the only treaties now in force, which the Government of the Republic ever made with them. I learn from a gentleman who was connected with the State Department when the first treaty was made, that the Indians objected to being limited to any particular country, and, therefore, no particular section was assigned them by either treaty.
One treaty you will find in the pamphlet — the other has not been printed and I send a written copy of it.

Mr Toney, has called on me for some instructions or information in regard to the course most proper for himself and others to pursue who were appointed Indian Agents &c, by our late Government. And I have informed them that I have no power to direct them or continue them in their places — but advised him to continue to act, should it meet your approbation, until they are superceded or directed to discontinue by the authority of the President.
As far as my acts &c, are concerned, the whole subject is submitted to your determination. I send you also some few late news-papers — the only ones I have received since my arrival at this place. I shall at all times be happy to see you in Austin.

I have the Honor to be
Your Most Ob.t Ser.t
J. Pinckney Henderson.

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Executive Department.
Austin, Feby 26. 1846.

To The Honorable
George Bancroft
&c. &c. &c.

Sir,

I beg leave to call your attention to the condition of the vessels which belonged to our late Government, but which by the Joint Resolutions under which we have been annexed to the United States, became the property of the General Government. Those vessels are now in ordinary and will be ready to be delivered over as soon as a law can be passed by our Legislature pointing out the manner in which it shall be done — a bill for this purpose is now in progress. I herewith send you an estimate of the monthly expenses of keeping the vessels furnished by Purser J. F. Stephens. There is no law of our State authorizing the payment of any money out of our Treasury for expenses incurred in relation thereto since the 16th instant, the day on which our Legislature was organized under the State Constitution. Mr. Stephens had suggested to me the necessity of monthly payments to the sailors as they were engaged with that understanding and will be dissatisfied should they not be paid accordingly. I write you this that you may take such steps in regard to this matter as may seem proper to you until then the Officer now in command is instructed to continue the men now engaged in the service.

I have the honor to be,
Your Obedient and
Very Humble Servant
J. Pinckney Henderson.

By the Governor of the State of Texas.

A Proclamation.

Whereas, the Legislature of the State of Texas, did, on the 28th day of February, instant, adopt an Act, entitled "An Act to provide for the election of Representatives to the Congress of the United States";

Therefore be it known, That, J. P. Henderson, Governor of the State of Texas do order and direct the Chief Justices, or in their absence, the Sheriffs of the several Counties, composing the first and second Congressional Districts, to hold elections at the established precincts in their Counties, for a Representative from their respective Districts to the twenty-ninth Congress of the United States; and said election shall be holden in each Congressional District, on Monday the twelfth day of March, 1846, and shall be conducted in conformity with the Constitution of the State, and the existing laws regulating elections: The first Congressional District to be composed of the counties of Fannin, Lamar, Red River, Bowie, Harrison, Shelby, Jefferson, Jasper, Nacogdoches, Sabine, San Augustine, Liberty, Houston and Nacogdoches, and shall elect one Representative: The second Congressional District, shall be composed of the Counties of Robertson, Brazos, Montgomery, Harris, Galveston, Brazoria, Fort Bend, Matagorda, Jackson, Victoria, Austin, Colorado, Fayette, Gonzales, Travis, Bastrop, Washington, Bexar, Goliad Refugio, San Patricio and Milam, and shall elect one Representative.

It is further ordered and directed, that the Chief Justices, or in case of vacancy in their offices, the Associate Justices, be required to make duplicate sealed returns of the elections, on of which shall be transmitted to the Office of Secretary of State, endorsed "Election returns of County for Representative to the Congress of the United States" and the other deposited in the Clerks Office of the County Court.

It is also, further ordered and directed, that if the Chief Justices fail to hold the elections aforesaid, then the people of the precincts where such failure exists, are authorized to choose managers, judges and other officers to conduct said election according

to law, and make returns of the same.

In testimony whereof, I have caused my private seal to be affixed, having no seal of State.

Done at the City of Austin, this twenty-eighth day of February, A.D. one thousand eight hundred and forty-six.

L. S.

J. Pinckney Henderson

By the Governor:

Charles Mariner

Acting Secy of State

Executive Department
Austin, March 7. 1846

To Honorable
Cave Johnson,
Sir,

Your letter of the 6th Ultimo came to hand several days since, which I handed to A.P. Tolen, Esq, who has for several years been at the head of the Post Office Bureau in Texas, and requested him to furnish all the information required by you. Mr Tolen will leave in a few days for Washington City and will carry with him for your information the data required. He is better acquainted with the wants of the State so far as the Mail routes are concerned than any other gentleman, and to him I refer you assuring you that full reliance may be placed in his representations.

I shall cause notices to be published in the next numbers of our papers printed in this City and have them copied throughout the State, informing the Contractors that it is confidently expected that the U.S. Government will pay as late to pay them for carrying the mails in Texas from the 16th Ultimo (at the rate the Contracts they Contracted with the Republic) until the 1st of July next or until the Contracts are taken under the General Government. I would respectfully suggest that the United States Government should make an appropriation not only to pay the Contractors but to pay the two Clerks which are necessary to attend to the Post Office Department in Texas, since the 16th of February, at which time they had ceased since that time, and they look to the United States for the same.

I have the honor to be,
Your Obedient and
Very Humble Servant

J. Pinckney Henderson

State Department,
Austin, March 7. 1846.

Hon. General Sam Houston,
Senator &c. &c. &c.

Sir,

I am instructed by His Excellency, J. Pinckney Henderson, Governor &c. &c. to authorize you, in behalf of the Delegation from Texas, representing said State in the U. S. Congress, to break the seal and obtain control over the Books, Papers &c. belonging to the Legation of the late Republic of Texas, deceased H. Hammersley, Esq., in whose possession they were placed, by H. D. Lee, Esq., and he authorized to place them at your disposition: Mr. Hammersley's Clerk in the Office of the Adjutant General,

I have the honor to be,
Your Obt. Servant,
Charles Mariner
Acting Secy. of State.

State Department,
Austin, March 7. 1846.

Genl. H. Hammersley, Esq.,

Sir,

I am directed by His Excellency, J. Pinckney Henderson, Governor &c. to authorize you to allow Gen. Sam Houston, Senator &c. in behalf of the Delegation from Texas, representing said State in the United States Congress, to break the Seal and take Control of the books, papers &c., belonging to the Legation of the late Republic of Texas, left in your Care by H. D. Lee, Esq.;

I have the honor to be,
Your Obt. Servant

Charles Mariner
Acting Secy of State.

Executive Department,
Reading March 9, 1814.

To S. D. Carter, Esq.
Sir,

I received this day Gen. Armstrong's letter of the 4th inst. requesting me to direct you to deliver the Arms of the Militia now deposited in the Arsenal at Reading to such person as he may appoint to receive them. I have no doubt but you have done this before this time, but as I am informed the Legislature which will assemble in a few days, I have undertaken the Commission, by stating that I would direct you immediately, and request you to deliver them to the order of every part of the Militia which you can conveniently spare. You will therefore deliver to Gen. Armstrong as far as the Government belonging to the Militia of Berks County. I am informed that one of the Brigades ordered by General Cadwallader for service, belongs to that County. I have nothing to say, of course, on the difference of opinion which may have arisen between the Secretary of War & the Governor relative to the Militia &c, to the United States. I do not think that that obliges me to direct the Deposition of our Militia arms contrary to the Commission from the General Government. Nevertheless, I would be glad to see you immediately, that I may consult with you on the subject.

Your very Humble Servt.
J. Hiester

P.S. I have this day wrote to Gen. Armstrong that I have directed the Militia arms to be delivered as you may direct.

Executive Department,
Trenton March 9th 1816.

To
His Excellency Governor Kennedy.

Sir,

Your letter of the 26th Ultimo, came to hand a few days since— & the time I received it there was a Caucus sitting before the Legislature to place the Indian Wardenship &c, under my control, which I hoped would have been completed ere this, but in that expectation I have been disappointed. It is also pending, and the Legislature every hourly, & this time I have no right to direct Major Burke's interest to the rent or disposition of those buildings but I have this day by letter requested him to afford you the use of every part of them, which he may not require to secure the property, goods &c, now in his custody which I doubt not he will do. It will afford me pleasure at all times, when I have the power, to render you any facility to enable you to discharge the duties of your Office. I know nothing of Major Burke's claim to the building you include to but presume it belongs to him as he has said so. I hope you will have no difficulty in finding room to transact business.

I remain with
Great Respect,
Your Obt. Servt.

S. Pinckney Henderson

State Department,
Austin, March 9, 1846

To General Sam Houston,
Senator &c. &c. &c.

Sir,

The Senate of Texas, on the 28th ultimo, adopted the following resolution:

Resolved,

That the Secretary be requested to address to the President of the United States, a Senate and Representative in Congress, a speech of the correspondence between the Governments, or such parts thereof as relate to the settlement, adjustment of any claim and debts of the Republic against the United States, — and that any testimony exhibiting her to such, or any claims or claims be forwarded.

That our Senators & Representatives in Congress be requested to give their attention to the allowance and payment of the said claims, in accordance with the engagements of the United States in relation to the same."

His Excellency, J. Pinckney Henderson, Governor, has referred the above mentioned Resolutions to this office for its consideration and action. I have the honor in compliance therewith, to transmit certain accompanying documents marked A. B. C. and D.

Doc. A. — consists of the printed Journals of the Senate, 2d. Session of the 29th Congress, containing the correspondence between Gen. A. J. Donelson, Chargé d'Affaires of United States, and Hon. Ebenezer Allen, Secty. of State of Texas, a portion of which is in reference to advances made by Texas in the recruiting service, and delivered with said Journals by resolution marked;

Doc. B. — Statement of advances made to the Ranging Companies called into service by the Government of the United States, and Genl. Z. Taylor, commanding Army of Occupation, amounting to $13,583.51;

Doc. C. — Statement of the Expenses of the Convention, amounting to $20,543.52;

Doc. D. — Statement of that of the Special Session of the 29th Congress, amounting to $6,741.88;

Subject to the indemnity arising from the seizure of Goods in the Red River District and that of the Lonely Expedition, you will find all the correspondence, evidence

&c., connected with the same, on file among the Archives of the Texas Legation.

Enclosed, herewith, is a communication addressed to Lewis R. Hammersley, Esq., Clerk in the office of the Adjutant General. Mr. Hammersley is directed therein to place at your disposition all the books, papers &c, belonging to the Texas Legation, (left in his care by M. D. Lee, Esq.) for the use and benefit of the Delegation from Texas, representing said State in the Congress of the United States.

I have the honor to be,
Very Respectfully,
Your Obt. Servant.

Charles Mariner
Acting Secy of State.

Executive Department,
Austin, March 13. 1846.

To
Col. W. S. Harney,
&c, &c, &c,

Sir,

In pursuance of the request of Gen. Z. Taylor, Commander of the United States Army of Occupation in Texas, contained in his communication to me dated at Corpus Christi, the 13th Ultimo, I have this day instructed Captain R.A. Gillespie, commander of the Company of Rangers which were raised under the authority of the late Republic and now stationed at San Antonio, to enroll the same or a similar Company of men, and hold them subject to be mustered into the United States Service by the proper Officer. I have also in accordance with Gen. Z. Taylors suggestion directed Captain Gillespie to make the Muster of his Company conform to the following organization, to wit;

1 Captain
1 Lieutenant
1 Ensign or 2d Lieutenant.
4 Sergeants
4 Corporals
2 Musicians
60 Privates

Major J.C. Hays, who was Commissioned by the late Executive of the Republic of Texas, is also directed to Continue in service and place himself under the command of the proper officer of the United States Army.

I have the honor to be,
Your most Obt. Servant.

J. Pinckney Henderson.

Executive Department,
Austin, March 13. 1846.

To
Captain R. M. Gillespie,
Commanding Texas Ranging Corps.

Sir,

General Z. Taylor, Commanding United States Army of Occupation having requested that the Ranging Companies which were ordered into service by the late Government of the Republic of Texas, should be continued in service for the period of three months, you are hereby authorized to enroll a company agreeable to the following organization, and hold it in readiness to be mustered into the service of the United States by the proper Officer who will be immediately ordered to the performance of that duty, viz;

1 Captain
1 Lieutenant
1 Ensign or 2d. Lieutenant
4 Sergeants
4 Corporals
2 Musicians
50 Privates

The pay and allowances of the Company will be in accordance with an Act of the Congress of the United States, approved March 19th, 1836. — The Subaltern Officers and Non-Commissioned Officers will be elected by the Company as heretofore — Returns of Election and Muster Rolls will be forwarded to this
on the receipt of which Commissions will be issued.

I have the honor to be,
Your Obt. Servant
J. Pinckney Henderson.

also,

To Capt. P. Hansbrough Bell,
Corpus Christi Ranging Corps.
Capt. D. C. Cady
Nueces County Ranging Corps.
Capt. John T. Price
Goliad & Refugio Ranging Corps.

Executive Department,
Austin, March 13, 1846.

To Major J. C. Hays
&c., &c., &c.,

Sir,

General Z. Taylor, Commanding the United States Army of Occupation, having requested that the ranging companies which were ordered into service by the late Government of the Republic of Texas should be continued in service for the period of three months, I have this day authorized Captain P. H. Bell, Commander of the Corpus Christi Ranging Corps; Capt. D. C. Cady commander of the Travis County Ranging Corps; Capt. John Price, commander of the Goliad and Refugio Ranging Corps and Capt. R. A. Gillespie, Commander of the Bexar Ranging Corps each at their respective stations to enroll a Company and hold it in readiness to be mustered into the service of the United States by the proper officer. In enrolling said Companies they are instructed to conform to the following organization, to wit;

1 Captain
1 Lieutenant
1 Ensign or 2d Lieutenant
4 Sergeants
4 Corporals
2 Musicians
50 Privates

I am also informed by General Taylor that one Major will also be mustered if appointed. You now hold that station and I hereby instruct you to continue in the performance of your duty connected with the same. I do not regard it as necessary under our present Constitution to re-commission you, yet if you prefer it, I will send you a Commission when requested. The pay and allowance of the Officers and men will be in accordance with the Act of the United States Congress, approved March 19th., 1836.

Very Respectfully &c.

J. Pinckney Henderson.

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Executive Department,
Austin, March 13. 1846.

To
General Z. Taylor,
&c. &c. &c.

Sir,

In accordance with the request contained in your communication, addressed me from Corpus Christi, dated 13th Ultimo, I have directed Captains Gillespie and Price, commanding the Ranging Corps at Bexar and Goliad, and Captains P. N. Bell and Cady, commanding &c., &c., at Corpus Christi and this place, each to enroll a company of men, and hold them in readiness to be mustered into the service of the United States, by the proper Officer. I have also instructed Major J. C. Hays, to continue in the service under his appointment by the late Executive of the Republic of Texas, as by our Constitution his Commission is still valid. By the express which will convey this to you, I will inform Col. W. S. Harney at San Antonio, according to your request, of the instructions given to Capt. Gillespie who is stationed at that place. Major Beall the Commander here has been duly advised of the action I have taken in this matter.

Your communication only reached me a few days since, by mail. I shall at all times be ready to comply with any requisition you may think proper to make upon me as the Executive of this State, in regard to the Militia, and shall be pleased to hear from you as often as you can find leisure and opportunity to write.

I remain with great respect,
Your Obedient and
Very Humble Servant
J. Pinckney Henderson

Executive Department.
Austin, March 16. 1846.

To
Mr. E. B. Cogswell,
Sir.

You are hereby authorized and empowered to demand and receive of any person who may have him in charge, the Comanche boy "Bob", and deliver or cause him to be delivered to the Hon. P. Mc. Butler, Indian Commissioner of the United States, now at Comanche Peak, as soon as possible.

J. Pinckney Henderson.

State Department,
Austin, March 17, 1846.

To Clerk of the District Court,
Nacogdoches County.
Sir,

His Excellency, J. Pinckney Henderson, Governor, has referred to this Office, a communication from W. C. Allison, Esq., enclosing a Petition signed by William G. Lewis, praying a remission of the fine of $100.00, imposed upon him, the said Lewis, by the last District Court of Nacogdoches County — (Fall Term 1845) for an assault upon William Hart, for which assault he was convicted and sentenced to pay a fine &c.,

In reference to said Petition I have the honor, by direction of His Excellency, to state, that from the evidence placed before him, he believes there can exist no good cause why Executive clemency, in this case, should be granted. Under these circumstances, His Excellency conceives that his sense of duty will not permit him to grant the remission of sentence asked for; and he is therefore, compelled to allow the law to take its course.

I have the honor to be,
Your Obt. Servant
Charles Mariner
Acting Secy of State.

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By the Governor of the State of Texas.

To

Hon. Pierce M. Butler,

and

M. G. Lewis, Esq.

United States Indian Commissioners.

Be it known that. J. J. Pinckney Henderson, Governor of the State of Texas, do hereby order and require that all persons holding in their possession any Indian prisoner or prisoners, do, immediately, on receipt of this notice, hand over and place under the control of the Indian Commissioners acting on the part of the United States Government, the said Indians.

In testimony whereof the Great Seal of the State, is hereunto affixed.

L. S.

Done at the City of Austin, this Nineteenth day of March, A.D., one thousand eight hundred and forty six.

J. P. Henderson.

By the Governor:

Charles Mariner

Acting Secy of State.

Executive Department,
Austin, March 20. 1846.

To The Honorable
The Senate.

The Executive, herewith, respectfully submits for the action of your honorable body, the nomination of David G. Burnet as Secretary of State of the State of Texas.

J. Pinckney Henderson

Executive Department,
Austin, March 23. 1846.

To
Messrs Johnson, Edg.s
late Treasurer of the Republic of Texas.

James H. Raymond, Edq, having been elected by the Legislature, as Treasurer, of the State of Texas, you will therefore, deliver over to him, all money's, books, papers, stationery, furniture and all other matters and things belonging to the Office of Treasurer, now in your possession, and take his receipt for the same.

J. Pinckney Henderson.

Executive Department,
Austin, March 21, 1846.

To The Honorable,
House of Representatives.

In reply to the Resolution of your Honorable Body, of the 17th Instant, the Executive has the honor to transmit herewith for the information of the Legislature, an estimate made by the Comptroller, of the probable annual expendes of the Government together with a statement of the amount of money now in the Treasury, also, a communication from the Comptroller, to the Executive, containing other information and suggestions connected with the subject of inquiry. It will be observed that the total estimated expendes for the first year is ninety five thousand seven hundred and sixty three dollars and forty six cents which estimate includes thirty nine thousand one hundred and ninety one dollars and forty six cents the expendes of the Legislative Department and shews that the estimated average annual expended for the next two years will be seventy six thousand one hundred and sixty seven dollars and seventy three Cents.

J. Pinckney Henderson.

Executive Department,
Austin, April 4, 1846.

To His Excellency,
James K. Polk,
President

" &c. &c. &c.

Sir,

I have the honor, herewith, to transmit to you a Copy of an act passed by the Legislature of the State of Texas, authorizing the Executive to transfer to the United States, in pursuance of the provisions of the Joint Resolutions of the United States Congress, under which Texas has been annexed, all the public edifices and other public property pertaining to the public defence — And, also, a Copy of an act authorizing the Executive of the State to transfer to the United States ale Custom Houses and other public buildings belonging to the State and used by the Officers of the Republic in the collection of Customs, upon such terms as may be agreed upon. I am ready on the part of the State to carry out the objects of the two acts referred to, and beg to be informed what manner you propose to receive the property embraced in the said Joint Resolutions and whether the Government of the United States wishes to obtain the property embraced in the last act refered to above.

I have the honor,
to remain,
Your Excellency's
Most Obt. Servant

J. Pinckney Henderson.

Executive Department,
Austin, April 8. 1846.

To
Major Thos. G. Western
late Supt. Indian Affaires.

Sir,

You will please, at your earliest convenience deliver to Charles Mariner, Esqr. Acting Secy of State, all books, papers, office furniture, and other public property of every description in your possession.

I have the honor to be,
Your Obt. Servant.
J. Pinckney Henderson.

Executive Department,
Austin, April 13. 1846

To
The Honorable Senate.

The Executive respectfully submits, for the action of your honorable body, the following nominations.

Judge 1st	District	James Love.
"	4th	"	Wm. P. Norton.
"	6th	"	Wm Roberts.
"	7th	"	John R. Jones
"	8th	"	John T. Mills.

J. Pinckney Henderson.

Executive Department,
Austin, April 13, 1846.

To
Major B. L. C. Beall,
United States Army,

Sir,

Having learned that a number of German emigrants will leave Braunfels in a few days for the Pierdinales where they intend to make a settlement, and apprehending that they will be exposed to Indian depredations in that unsettled region I beg leave respectfully to suggest to you the propriety of detaching the company of Rangers, now under your command, to protect them. Should you think proper to comply with this request, I will ascertain the time those people intend leaving Braunfels, and inform you of it. I have heard that it is probable that Col. Harney the Commander of the station at San Antonio will probably despatch Major Hays, with his Company, on that service — if that should be the case, the service of the Company under your command will not be required.

I have the honor to be,
Most Respectfully
Your Obedient Servant,

J. Pinckney Henderson.

Executive Department,
Austin, April 16th 1846.

To the Honorable Senate,

The Executive, respectfully submits, for the action of your Honorable Body, the following nominations,

Judge 2d Jud. District, William E. Jones.
" 3d " " , R. E. B. Baylor.

J. Pinckney Henderson.

XX.

Executive Department,
Austin, April 17. 1846.

To
The Honorable Senate.

The Executive respectfully submits the following nominations for a board of Commissioners of Pilots for the Port of Galveston:

Daniel Seymour
L. M. Hitchcock Jr.
Aaron Dunn
Saml. M. Williams
J. T. Dosweele

J. Pinckney Henderson.

Executive Department.
Austin, April 17. 1846.

To
The Hon. Senate.

The Executive respectfully submits the following nominations for a board of Commissioners of Pilots for the Ports of Aransas, Corpus Christi, Brazos Santiago and mouth of the Rio Grande:

William P. Aubrey
William Mann
Saml. Treanman
John Owens
D. M. Moore

J. Pinckney Henderson.

Executive Department,
Austin, April 20. 1846.

T. The Honorable
W. G. Cooke &c. &c. &c.
Sir,

You will confer a favor upon the Executive by making out and handing to him a list of the public property which is still under your charge as Secy of War & Marine of the Republic of Texas, and, also, a description of its condition and location, confining the same to the description of property contained in the Joint Resolutions of the United States Congress, under which Texas has been annexed to the United States.

I have the honor, to remain,
With Great Respect, Your &c
J. Pinckney Henderson.

Executive Department
Austin, April 24, 1846.

T. Major B. L. Beall,
Sir,

I have the honor to acknowledge the receipt of your Communication of the 23d Instant, informing me that if in my opinion the security of the Settlements does not require the presence of the Company of Rangers under your command they will be detached to escort and protect the German Settlers who will soon leave for the Perdenales. In reply, I have to say, that I do not think the service of the Ranging Company alluded to is required in this quarter, and that they will be more serviceable to the German Settlers on the Perdenales, Therefore, if it is compatible with your duty and views, I will be obliged, if you will order them upon that service. I will in a few days learn when those emigrants will leave for their destination, and inform you of it.

I have the honor to remain,
Your Most Obt. Servant.

J. Pinckney Henderson

Executive Department
State of Texas

To all to whom these presents may come—
Greeting:

Be it known that I, J. Pinckney Henderson, Governor of the State of Texas, do hereby ordain and appoint, all persons having in their possession public arms or public property of every description, pertaining to the public defence and belonging to the late Republic of Texas, to deliver the same into the possession of Hiram G. Runnels, Esquire, who is the legally authorized and known Agent to receive and receipt for said property.

L. S.

In testimony whereof, the Great Seal of the State is hereunto affixed.
Done at the City of Austin, this twenty-fifth day of April, A.D., one thousand eight hundred and forty six:

J. Pinckney Henderson.

By the Governor:
Charles Mariner
Acting Secy of State.

Executive Department,
Austin, Texas 25. 1846.

To Genl. H. A. Thurston
Comdg. Army in Matamoras. Matamoras.

Sir,

You will upon the receipt of this, take command of the Volunteers that the Honorable U. S. Senate, at their session on the 23rd of the present month of the United States to receive all public Stores and other property belonging to the late Republic of Texas and pertaining to the public defence — You will therefore hand over to him without delay all Public Arms, Public Buildings and all other property under your charge pertaining to the public defence which belongs to our late Republic, and take a receipt therefor, and his receipt for the same, which inventory and receipt you will return to this office as soon as practicable.

I have the honor to be,
Your Obt. Servt.
J. Pinckney Henderson.

Executive Department
Austin, Texas 25, 1846.

To Capt. P. H. Bryan
Austin Texas

Sir,

You will upon the receipt of this, take command of the Volunteers that the Honorable U. S. Senate, at their session on the 23rd of the present month of the United States to receive all public Stores and other property belonging to the late Republic of Texas and pertaining to the public defence — You will therefore hand over to him without delay all Public Arms, Public Buildings and all other property under your charge pertaining to the public defence which belongs to our late Republic, and take a receipt therefor, and his receipt for the same, which inventory and receipt you will return to this office as soon as practicable.

I have the honor to be,
Your Obt. Servt.
J. Pinckney Henderson.

Similar to Major J. C. Hays.
the same as above.

Executive Department,
Austin, April 27. 1846.

To The Honorable
A. G. Runnels &c &c.

Sir,

I herewith hand you orders directed to the different persons who have property in their possession and under their charge, which belonged to the Government of the Republic of Texas and which "pertains to the public defence" requiring them to hand it over to you or place it under your Control. You expressed it as your opinion in a Communication which I had the honor to have with you a few days since that by the terms of the Joint Resolution of the United States Congress under which Texas was annexed, the State of Texas is bound to convey to the General Government all Custom Houses which belonged to the Republic of Texas as well as all property pertaining to the public defence. You will see by reference to the act of our Legislature in regard to this subject, approved the 30 th day of March, A.D. 1846 (a copy of which I herewith furnish you) that a different construction is placed by that body upon the said Joint Resolutions, in which construction and opinion I fully concur. I conceive that Texas as a State is only bound under the Contract to cede such public edifices and buildings as "pertain to the public defence" and that the Custom Houses used by the late Government are not included in the said Joint Resolutions. Should any more comprehensive meaning be given to those Resolutions than the one the Legislature of Texas has given to them all of the other public edifices and buildings belonging to the late Republic of Texas, including State House, the Presidents House, all the public Offices, Court houses and jails, would also be included, which surely never was intended either by the United States or Texas. Therefore I do not feel myself at liberty to convey to the General Government the Custom Houses &c., without just compensation being made to the State.

I have the honor to remain, with high consideration, Your most Obt Servant.

J. Pinckney Henderson.

Executive Department,
Austin, April 20. 1846.

To
The Honorable the Senate.

The Executive, herewith returns to your honorable body, without his approval, a bill entitled, "An Act to organize Justices Courts and to define the powers and jurisdiction of the same." The fifth section of this bill gives to Justices of the Peace jurisdiction over assaults and batteries, riots and affrays, and proposes to authorize them to try persons accused of the offences named, without the intervention of a jury, and to impose fines upon the accused when, in the Justices opinion they are guilty of the offence charged against them. That section of this Act, is, in the opinion of the Executive, clearly unconstitutional. The 8th section of the "Bill of rights" declares that "in all criminal prosecutions the accused shall have a speedy public trial by an impartial jury;" and the 10th Section of "Article 4th of the Constitution provides that "in the trial of criminal cases the Jury trying the same shall find and assess the amount of punishment to be inflicted, or fine imposed, shall be specifically imposed by law," and the act under consideration would deprive defendants of those two Constitutional privileges. If however, no constitutional provision interposed to compel him to withhold his approval of this bill, the Executive would regard it as highly inexpedient to repose in the hands of Justices of the Peace, the powers proposed by the section referred to. It would be giving licende to persons to commit the offences enumerated — the turbulent would set the authority of the Magistrate at defiance and none but the more peaceful and submissive would pay the penalty of the laws in such cases. The Executive therefore, feels it to be his duty to return the bill for the re-consideration of the Legislature.

J. Pinckney Henderson.

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Executive Department,
Austin, May 2, 1846.

To
Eli Chandler, Esq.,

Sir,

Pursuant to a requisition from Brigadier General Z. Taylor, Commanding "Army of occupation," near Matamoras, calling upon this State for a volunteer force to consist of four Regiments, two of riflemen and two of mounted men; you are hereby authorized to raise a Company of mounted riflemen, under the following organization, viz;

1 Captain
1 1st Lieutenant
1 2d Do
4 Sergeants
4 Corporals
2 Musicians
56 Privates

It is desired that all will furnish their own arms and equipments. So soon as they reach the place of rendezvous, they will be supplied with subsistence &c.

You will use all diligence in raising the Company; the Muster Roll will be returned to the Office of Col. Wm. G. Cooke, Adjutant General.

J. Pinckney Henderson.

N.B.
Same as above to
R. G. Dunn

Executive Department
Austin, May 2. 1846.

To
Lieut. Kingsbury, U. S. A.
Galveston.

Sir,

Pursuant to a request of Genl. Z. Taylor, Commanding "Army of Occupation" near Matamoras, under date of 26th Ultimo, I herewith transmit General Order No 1., with an extra, containing General Taylor's Communication.

You will be advised at the earliest period of the probable date of arrival of the riflemen at Galveston, it being impossible from the manner in which the footmen will have to be raised to fix upon any date with certainty.

I have the honor to be,
Your Obt. Servant,

J. Pinckney Henderson.

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Executive Department,
Austin, May 3. 1846.

To
Genl. J. Taylor,
Sir,

I have the honor to acknowledge the receipt of your communication of the 26th Ultimo, which reached me on yesterday. In compliance with your request I have already taken such steps as I have thought best to enable me to meet your demand. Unfortunately the Militia of the State (except in three or four eastern Counties) is not organized, therefore, I have despatched Couriers to various Counties with authority to raise volunteer Companies of mounted men and footmen to the extent of your requisition. I apprehend no difficulty in complying with the request as far as the mounted men are concerned, but I fear our people will not volunteer to serve on foot to the extent required — a few Companies on the Coast say six or eight, I expect can be easily raised, and three can be drafted in the remote east. There would be no difficulty in raising forty Companies provided they were to be mounted. The Texians are generally good horsemen and prefer to be employed in that way, and I am sure they could and would do good service. With these views I would most respectfully suggest the propriety of an extention of your demand, so far as regards the mounted men, provided you think you will have need of their services. I regret exceedingly that the State of our organization is such as to render it impossible to take immediate steps to draft from the Militia the number of Companies you have called for. A bill was passed by our Legislature several days since, directing the organization of the Militia early in July. I hoped it would have taken place at an earlier day. In the orders issued no time has been fixed for the rendezvous at Galveston, as it was impossible to determine when they can probably reach there — I will, however, take steps to inform Lt. Kinsbury, hereafter, of the time when they may be expected. We are looking with much

anxiety for the next news from you.

I have the honor to remain,
Your Obedient Servant.

J. Pinckney Henderson.

P.S.

Captain Stevenson, who will bear this to you is authorized to raise a Company. He is a most energetic active gentleman and mentions to me that he would be pleased to be most actively engaged, and I recommend him to your favorable Consideration.

Executive Department,
Austin, May 4, 1846.

Sir —

Sir, You are hereby authorized and requested to proceed with all possible despatch to Eastern Texas and aid in the raising and forwarding, to Point Isabel, the Volunteer Companies which I have in pursuance of Genl. Z. Taylor's request ordered to be raised in the Counties of Newton, Nacogdoches, San Augustine, Sabine, Shelby, Harrison and Rusk. Should the men be required not volunteer in ten days, then the Militia Officers now in Commission will be authorized and required to draft for the deficiency. The volunteers will be allowed to elect their Company Officers. The drafted men will be under the command of the Officers now in Commission. Should you be able to aid in forwarding the drafted men I request you to do so with the approbation of the commanding Officer. No provision as yet could have been made for the men on their march, but you are authorized to provide for them (with due regard to economy) and the United States will be bound to pay the expenses, which obligation, they will, as they have always done, redeem with promptness.

You can provide in advance for the men in such manner as will seem most convenient. No full organization can take place until they arrive at Point Isabel.
Should Genl. Berry determine to come on in person then he will have the Chief direction of Volunteers and drafted men, and you will aid him in forwarding all.

I have the honor to remain,
Yours &c.,

J. Pinckney Henderson.

P. S.

I understood the pay of the mounted men to be twenty dollars per month, by the United States law, where the Soldier equips himself and furnishes his own horse, and the horse is valued and paid for if lossed in the service. I also, understand that forty cents is allowed per day to the Soldier to and from the place of rendezvous for their support. The Officer in Command can give a receipt for provisions furnished on the march and the United States Government will provide payment for the same.

Executive Department,
Austin, May 4, 1846.

To The Senate:

The Executive submits for your confirmation the following nominations of Notaries Public.

For	
Galveston County,	Elisha A. Rhoades.
	S. P. Nash.
	E. H. Winfield
San Augustine,	H. M. Kinder.
Jefferson,	Joseph D. Pulsipher.
	Isaac Garner.
	Niles F. Smith.
Jasper,	William Allen.
	James Delleny.
	John Hamilton.
	Benj Richardson.
Newton,	Robert L. Williams.
	R. C. Ballam.
	Thos. McFarlane.
Brazoria,	Robert M. Forbes.
	Edward Purcell.
	Thos. G. Masterson.
	William T. Austin.
Fort Bend,	Mc. Mc. Battle.
Leon,	Israel P. Pinckeart.
Jackson,	James Kerr,
Victoria,	James Ingram,
Lamar,	Austin B. Marion.
	George W. Stell.
	Henry D. Woodsworth.
	Francis Morrison.
	John A. Rutherford.

Rusk County,	Isaac Ferguson.
	N. Barnett.
	Madison Smith.
	Robert Wescott.
Fannin,	Andrew Lyday,
	Samuel Erwin,
	Samuel McGowen,
	P. D. Pillans.
	Thomas Jowett,
	John D. Black.
Grayson,	William Gorham.
	Holland Coffee.
	James R. C. Neal.
Collin,	John C. M. Hodge.
	John Grigger.
Denton,	Isam Davis.
Dallas,	S. A. Bryant,
	Horace Burnham.
Hopkins.	M. M. Matthews.
	Matthew Sims
	James E. Hopkins.
Red River	S. H. Morgan.
	William Mather
	John Monkhouse.

J. Pinckney Henderson.

A Proclamation.
By the Governor of the State of Texas.

Whereas, in accordance with law, it has become requisite to order an election for Civil officers in the different Counties throughout the State; and,

Whereas, it, also, becomes the duty of the Executive to order an election, by the Militia, of Major-Generals and Brigadier-Generals; therefore,

Be it known, that A. J. Pinckney Henderson, Governor of the State of Texas, by virtue of authority vested in me, do, hereby, order and direct the Chief Justices or, in their absence, the Sheriffs, to cause elections to be held in their respective Counties, and, also, at the same time, Chief Justices of every County from which any new County, or the greater portion thereof, has been taken, shall cause elections to be held in such new Counties; and the returns of elections, in all new Counties, shall be made to the Chief Justice or Officer ordering the election, — which elections shall take place on the second Monday in July, 1846 (13th) for one Chief Justice, four County Commissioners, one Sheriff, one Coroner, one County Clerk, one Clerk of the District Court, and two Justices of the Peace and one Constable for each Justice's Precinct; also, for a Major-General in each Division, and a Brigadier-General in each Brigade. The first Division is composed of the Counties of Fannin, Lamar, Red River and Bowie; second Division — Harrison, Shelby, San Augustine, Nacogdoches, Rusk, Houston and Sabine; third Division — Jasper, Jefferson, Liberty, Galveston, Harris, Montgomery, Robertson and Brazos; fourth Division — Brazoria, Fort Bend, Austin, Washington, Milam, Travis, Bastrop, Fayette, Colorado and Matagorda; and the fifth Division, of the Counties of Jackson, Victoria, Gonzales, Bexar, Goliad, Refugio and San Patricio.

Brigades are composed of the following Counties, each Division consisting of two Brigades, viz:

Fannin and Lamar,	1st Brigade	—	1st Division	
Red River and Bowie,	2d.	"	"	"
Harrison, Shelby, San Augustine and Sabine,	1st	"	2d	"
Rusk, Nacogdoches and Houston,	2d	"	"	"

Jasper, Jefferson, Liberty and Galveston, 1st. Brigade — 3d. Division
Harris, Montgomery, Robertson and Brazos, 2d " " "
Brazoria, Fort Bend, Austin, Washington and Milam, 1st " 4th "
Travis, Bastrop, Fayette, Colorado and Matagorda, 2d " " "
Jackson, Victoria, and Gonzales, 1st " 5th "
Bexar, Goliad, Refugio and San Patricio, 2d " " "

The said Military Divisions and Brigades include the new Counties created by the present Legislature, each new County forming a part of the same Division and Brigade as the County from which such new County, or the greater portion thereof, was taken.

It is further ordered, that the Chief Justices of the said several Counties give legal notice of said election, and have the same conducted in accordance with law, and make due returns thereof.

L. S.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed.
Done at the City of Austin, this fourth day of May, A.D. One thousand eight hundred and forty-six.

J. Pinckney Henderson.

By the Governor:
David G. Burnet,
Secretary of State.

Executive Department,
Austin, May 5. 1846.

To General Z. Taylor,

Sir,

I avail myself of the opportunity which is presented through Major Bells politeness to inform you that, on yesterday, I received a communication from Col. Harney, dated the 2d. Instant, calling for seven additional mounted Companies, and to say, that I am taking steps to comply with the requisition as soon as possible. I am assured by the members of the Legislature from the Red River District that the whole number can be raised in that region, upon which I have heretofore made no call. I will, however, call for one of the Companies from Robertson County where I think it can be had. I informed you by Capt. Stevenson, two days since, that the Militia of the State is not organized, except in four Eastern Counties, therefore, I must call for volunteers instead of resorting to a draft. The only objection which I can apprehend will be made by men to volunteering under Col. Harney's call, is that one Company is to be stationed at this place and one at New Braunfels. Nevertheless, I confidently expect the demand will be readily complied with. I apprehend we shall have several tribes of the Indians down upon our frontier, unless measures are taken to interest them on the part of United States. In accordance with a Joint Resolution of the Legislature I shall Commission Thomas S. Smith and General Monchouse to go out among st the several Tribes in a secret way to ascertain their designs and to conciliate them should they evince any hostile disposition. They are both acquainted with the various Tribes and have considerable influence with them. They will be engaged as spies only, as the State authorities cannot interrupt the Indian policy of the General Government. I shall instruct them to be very prudent and cautious, and to avoid any infringement of the laws of the United States. I think there are portions of several of the friendly Tribes which could be used with good effect against the Mexicans — I will, however, communicate

more fully with you upon this subject when I have the pleasure of meeting you at your quarters, which I hope will be in a few days after this reaches you.

I have the honor to be,
Your Obt. Servant.

J. Pinckney Henderson.

Department of State.
Austin, May 5. 1846.

George B. Innes, Esqr.,

Sir,

It gives me pleasure to inform you that the Governor has appointed you Wreck Master for the Port of Galveston.

The law regulating Wreck Masters has not yet been published, but I state for your information that it requires that "each person so appointed shall give a bond with two or more good securities for the sum of five thousand dollars and conditioned for the faithful discharge of his duties, which bond shall be approved by the Chief Justice of the County from which the Wreck Master is appointed, before he shall be authorized to act".

You will therefore, please have your bond executed, and transmitted to this office and immediately on the receipt of it your Commission will be permitted to you.

Very Respectfully,
Your Obt. Servant.

David G. Burnet,
Secy of State.

Executive Department,
Austin, May 5. 1846.

To
Col. Thomas J. Smith,

Sir,

Herewith you will receive a Commission authorizing you to proceed to the Indian Tribes, within the limits and on the frontier of the State of Texas and with said Commission you will receive a Copy of the Act of the Legislature under which you have been appointed. You will proceed with all despatch to visit, in connection with Genl E. Morehouse, such of the Indian Tribes on the frontier of the State as you think proper to visit. Watch their movements and endeavor to find out their disposition and intentions in regard to the present difficulty between Mexico and the United States, and also, ascertain whether there are any Mexican emmissaries amongst them. The Executive of the State has not the power to authorize you to hold any official intercourse with the Indians or to enlist them in the war against Mexico — that power belongs to the General Government and you will be careful not to violate any policy or law for the Government of the Indians and also to avoid saying any thing or doing any act which will interrupt the progress of any Treaty which the authorities of the General Government may wish to make and confine your labors to watching the movements of the various tribes and securing their friendship by proper conversations. When you visit the United States Indian Commissioners and Agents you will communicate to them fully the object of your visit to the Indian Tribes as the Executive has done in writing. You will also communicate to those Commissioners and Agents, as well as to this Department in the most safe and expeditious manner, every important fact which may come under your observation, connected with your duty. It is made your duty especially to direct your attention to those tribes most likely to commit hostilities upon the frontier or join the Mexicans against the United States and finally you are instructed to report to this Department

your observations at the close of one month from this date or sooner if you think it important to do so.

I have the honor to be,
Your Obt. Servant.
J. Pinckney Henderson.

Executive Department,
Austin, May 5th 1846.

To The Hon. P. H. Butler
& Col. Lewis
Indian Commissioners &c.

Sirs,

I enclose to you a copy of a Joint Resolution passed by the Legislature of Texas making it my duty to send proper persons to visit the various Indian Tribes in the State and upon our frontier with the view of watching their movements and ascertaining their intentions towards the frontier settlements in Texas. I have in pursuance of the requirement of that resolution appointed General E. Morehouse and Col. Thomas S. Smith, who from their energy and general acquaintance with the various tribes of Indians within our limits will be able to render important service. Those who seem to know most of the character of the Indians in Texas, believe that they will not remain neutral during the contest between the United States and Mexico and that Mexico will send and perhaps has already sent emissaries amongst them to induce them to commit hostilities upon our settlements. I enclose to you also a copy of the instructions which I have issued to Messrs Smith & Morehouse.

I have the honor to be,
Your very Obt. Servant.
J. Pinckney Henderson.

Executive Department
Austin, May 5th 1846.

To Brvt Col. Wm S. Harney
U. S. A.

Sir,

I have just been informed by Major Beall that he has an Express ready to leave for your quarters, and I avail myself of it to acknowledge the receipt of your requisition of the 2nd. instant. I am taking steps to call out the companies you require. Owing to the call which I have just made under Gen Taylor's requisition I shall be compelled to draw from the Red River District the men you desire, and I am assured by the members of the Legislature from that region that they can be raised in that quarter speedily. Owing to the want of organization of the Militia of the State, I am under the necessity of calling for volunteers. I fear from what I learn from various quarters that the Indians will be down upon our frontier settlements joined perhaps by the Mexicans. The Legislature has authorized it and I am despatching two experienced persons to go out among st the various Indian Tribes to ascertain their disprositions, intentions and movements. I think it would be well to enlist a portion of the friendly tribes on the part of the United States, to act against the Mexicans. I have by this express made full communication to General Taylor upon these subjects.

I have the honor to remain,
Your Obedient Servant
J. Pinckney Henderson.

Executive Department,
Austin, May 6. 1846.

To Col. Thos. Spm. Ward,
Comr. Gen. Land Office.

Sir,

I have examined the above seal which you have procured for the General Land Office of the State of Texas in pursuance of an Act passed by the Legislature and approved the 5th day of May 1846, and have approved the same, and filed my formal approval in the office of the Secretary of State.

I have the honor to remain,
Your Obt. Servant.
J. Pinckney Henderson.

Executive Department,
Austin, May 7. 1846.

To The Senate,

The Executive submits for the action of the Senate, the nomination of John M. Harris, Esqr., for Attorney General of the State.

J. Pinckney Henderson.

Executive Department,
Austin, May 8. 1846.

To A. J. P. Pee, Esqr.,

Sir,

I have to request that you will inform me at your earliest convenience, if the nominations of D. D. Ralph, Lewis B. Harris, John Carson and John D. Andrews, for Notaries Public for Harris Co., transmitted to the Senate on the 5th Inst., have been acted upon by that body, — If not, please inform me of the fact and whether they are still before the Senate.

I have the honor to be,
Your Obt. Servant
J. Pinckney Henderson.

Executive Department,
Austin, May 8. 1846.

To The Senate:

The Executive submits for the action of the Senate the following nominations.

For Judge 6th Judicial District.
William B. Ochiltree.

For Board of Commissioners of Pilots for Port of Passo Cavallo.
Thomas Deckrow,
Augustus Stord,
Alexander Somervell,
James W. Byrne,
Thomas M. Duke.

J. Pinckney Henderson.

Executive Department
Austin, May 11, 1846.

To

The Senate,

The Executive submits for the action of the Senate the following nominations for Notaries Public.

James T. Echols
Green Dial
G. H. Moore.

} For Shelby County.

J. Pinckney Henderson.

Executive Department,
Austin, May 11. 1846.

To Col. Wm. S. Harney,
U. S. A.

Sir,

From representations made to me I am dissatisfied that I am promoting the public good by requesting you to order that Mr. M. Chevallier shall be permitted to raise such a force as he may select to join the Texan Ranger under Gen. Taylor and act as a Spy in the region of Gen. Taylor's ground. Presuming that you will not object I have requested Mr. C. to enter upon that service.

I have the honor to remain
Your Obt. Servt.

J. Pinckney Henderson.

Executive Department,
Austin, May 12. 1846.

To Col. Jesse. Bowlard,

Sir.

You are hereby authorized and requested to proceed to the Red River District and superintend the raising and forwarding the six Companies called for from that region. If they do not rendezvous within the time limited in the order you carry on with you directed to the Militia Officers of that Brigade, there a draft will be made to supply the deficiency. When the whole number is raised and assembled they will elect their Officers and report the result of the election with Muster rolls to the Adjutant Genl's Office. When the troops arrive in Austin, the Officers in command will report to the United States Officer in command of the forces at that place, and to Col. Harney at San Antonio, which last mentioned Officer will dispatch of the Companies,

J. Pinckney Henderson.

Executive Department
Austin, May 19. 1846.

To
His Excellency,
A. C. Gordon,

Sir.

I shall this day leave the seat of Government to take command of the Texian forces raised under the requisition of General Taylor, and shall move beyond the Rio Grande into Mexico. — Under these circumstances, you are required by the Constitution to act as Governor of the State by virtue of your Office of Lieutenant Governor.

I have the honor to be,
Your Obt. Servant.

J. Pinckney Henderson.

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Page	Date	To Whom	A. B.
1	Feby. 21. 1846.	Buchanan Jas, Sec of State. U.S.	Transmitting Communications from the English and French Charge de Affairs, relation to treaty rights
16	Feby 23. 1846.	Butler Col Pierce M.	Transmitting Indian Treaties
1-3	May 2. 1846.	" " " "	Informing him of the Mission of Messrs Smith and Morehouse to visit Indian Tribes to learn their purpose as to peace or war
17	Feby 26. 1846.	Bancroft Geo.	Relation to the vessels belonging to the Texas Navy
27	Mch 13. 1846.	Bell P Hansboro.	To remain in the service, Organization of his Company.
36	Apl 13. 1846.	Beall Maj R.L. U.S.A.	Protection of the German Settlers on the Pedernales
38	" 24. "	" " " "	" " " " " " " "
1-7	May 8. 1846	Bee H.P.	In reference to the confirmation of Notaries Public
37	May 12. 1846.	Bourland Col Jas.	Ordered to superintend the raising and forwarding of Volunteers ordered from the Red River District
22	Mch 7. 1846.	Locke J. H.	Instructions to allow Govr Runnels the use of a portion of the Custom House at Galveston
27	Mch 12. 1846.	Looney Capt D.C.	To remain in the service, Organization of his Company.
30	Mch 16. 1846.	Longwell E.B.	To dismiss and take charge of a Comanche Indian and to deliver him to the U. S. Indian agent.
38	Apl 20. 1846.	Lorrie W.G.	Late Sec of War & Marine. Wants a list of vessels and all other public property pertaining to the public defence to be turned over to U.S.
43	May 2. 1846	Lehmeller Capt Adj.	Authorizes to raise a Company under the call of Gen. Taylor

Page	Date	To Whom	
		L. L.	
42	May 2. 1846	Doom R.L.	Authorized to raise a company under the call of Genl G. Taylor
		G.	
27	Mch 13. 1846.	Gillespie Capt R.A.	To remain in the services, Organization of his company
		H.	
21	Mch 7. 1846.	Houston Sam	To take possession of the papers &c belonging to the Texas Legation at Washington D.C.
24	Mch 9. 1846.	Houston Sam	Relation to the Claims of the Republic against the U. S.
26	Mch 13. 1846.	Harney Col U.S.	U.S.A. Relation to Mustering into the services of the U.S. of Capt R.A. Gillespies company and Continuing Maj J.C. Hays in the service
56	May 8. 1846.	Harney Col U.S.	Relative to the Companies Called for by him, Ineffectual to operate against Mexico.
59	May 11. 1846.	Harney Col U.S.	Relation to Mr Hebenallen to raise a Spy company
21	Mch 7. 1846.	Hannmerly Lewis	B. To deliver to Sam Houston the papers &c belonging to the Texas Legation at Washington D.C.
20	Mch 13. 1846.	Hays Maj J.C.	To continue in the service, Instructions relative to the reorganization of companies
48	Apl 25. 1846.	Hays. Maj J.C.	Ordered to turn over all public property &c to H.G. Runnels who is authorized to receive receipt for it
60	May 19. 1846.	Horton A.C. Lt Gov.	Turning over the Offices of Govr to him
		C.	
1	Feb 16. 1846.	Inauguration of J. Pinkney Henderson as Governor	
2	"	Inaugural Address of J. Pinkney Henderson	
28	Mch 7. 1846	Johnson Isaac	Postal Appointment
32	Mch 23. 1846	Johnson Moses. Treasurer of the Republic	To turn over to his successor the Finances &c

Page	Date	To Whom	
53	May 5: 1846	Jones Geo W.	Appointing Navy Master at Galveston
		N	
44	May 2: 1846.	Ringgold Lt U.S.A.	Relative to troops to be raised under the call of Genl Taylor
		L. No.	
4	Feby 20. 1846.	Mariner Chas	Appointing Act'g Sec'y of State
4	Feby 21. 1846.	Message	Nomination of Volney E Howard atty. General
4	" 21. "	"	" " John Kempshill, Chief Justice & A.S. Lipscomb and R.T. Wheeler associate Justices of the Supreme Court
6	Feby 24. 1846.	Message	General
32	Mch 20. 1846.	"	Nominating J.G. Bunnet, Sec of State
33	" 21. "	"	Transmitting estimates from the Comptroller
36	Apl 16. "	"	Nomination of Dist. Judges
37	" 17. "	"	" " Pilot Commissioners at Galveston
37	" 17th "	"	" " " " at Corpus Christi & the ports
42	" 20th "	"	Veto of the bill to Organize Justices Courts &c
48	May 4 "	"	Nomination of Notaries Public
57	" 7th "	"	Nominating Jno M Harris for atty Genl
58	" 8th "	"	Nomination of Judge of 2nd Dist and Pilot Commissioners
58	" 11th	"	Nomination of Notaries Public
		F O	
20	Mch 17. 1846	Nacogdoches County	Clk of Dist. Ct. Refusal to remit a fine imposed on Wm G. Lewis for an assault
		(R)	
5	Feby 21-1846.	Polk Jas K. Pres.	Notifying him of the organization of the State Government and Transmitting Communications from the English & French Governments in relation to treaty rights &c
34	Apl 4-1846	Polk Jas K. Pres	Transfer of public property
27	Mch 13 1846	Brice Lorfs-Jas S	To remain in the service, organization of his Company
40	Apl 25- 1846	Payne Lorfs-Pls	Order to turn over all Remaining public property belonging to the late Republic to Act't Quartermaster when it be thought to

Page	Date	To Whom	
		P. Pantinger.e	
18	July 28. 1846	Proclamation	Ordering an election for Congressmen
31	Mch 19. "	"	To deliver all Indian prisoners to the U. S. Indian Agt.
39	Apl 25. "	"	Ordering persons who have public property of the Republic to turn it over
50	May 4th "	"	Ordering an election for Maj & Brig Genl of the Militia
		R. R.	
23	Mch 9. 1846	Runnels H. G.	In reference to the use of the Custom House at Galveston
41	Apl 27th "	" "	Relative to public property to be turned over
		S.	
24	May 5th 1846	Smith Col, Thos. J.	Appointed Comr to visit Indian tribes and learn their intentions as to war or peace
		T.	
29	Mch 13. 1846	Taylor Genl Z.	Relative to the Rangers to remain in the service
40	May 3rd "	" " " "	Troops to be raised under his call
52	" 5th "	" " "	Companies called for by Col Harney - Indians to use against Mexico
40	Apl 25th 1846	Tennison Lt U. A.	To deliver to H. G. Runnels all public property pertaining to the Army & Navy
		U. V.	
46	May 4th 1846	Volunteers -	Authority to raise
		U. S. A.	
35	Apl 8. 1846	Western Maj Thos. G.	Late Supt of Indian Affairs - To turn over Records &c to Sec. of State
57	May 6. 1846	Ward Col Thos W.	Comr Genl, La. Office - Approving the seal of the Genl, Ld. Office